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# Direct Commercial and Foreign Military Sales

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## Chemical Defense Equipment

*An Introductory Brochure*



... Putting Technology To Work

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REPORT DOCUMENTATION PAGE			Form Approved OMB No. 0704-0188	
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1. AGENCY USE ONLY (Leave blank)	2. REPORT DATE June 1991	3. REPORT TYPE AND DATES COVERED Final		
4. TITLE AND SUBTITLE Direct Commercial and Foreign Military Sales: Chemical Defense Equipment, An Introductory Brochure		5. FUNDING NUMBERS Contract DLA 900-86-C-2045, Task No. 165, Modification No. P00120, CLIN No. 000EZ		
6. AUTHOR(S) Ms. Catherine M. CORTES				
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Battelle, Crystal City Operations 1725 Jefferson Davis Highway Suite 600 Arlington, VA 22202-4172		8. PERFORMING ORGANIZATION REPORT NUMBER		
9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES) Deputy Assistant to the Secretary of Defense (Atomic Energy)(Chemical Matters) Room 3E1074, The Pentagon Washington, DC 20330-1000		10. SPONSORING, MONITORING AGENCY REPORT NUMBER		
11. SUPPLEMENTARY NOTES				
12a. DISTRIBUTION / AVAILABILITY STATEMENT Public Availability			12b. DISTRIBUTION CODE	
13. ABSTRACT (Maximum 200 words) The brochure is an introduction to the exporting process. It addresses export guidelines and procedures for American manufacturers of chemical defense equipment. Differences between direct commercial and foreign military sales are explained. Suggestions on how to find customers are given. Foreign government(s) and national(s) responsibilities are discussed. Jurisdiction of various government agencies, registration procedures, licensing applications, recoupments for government-sponsored research, and legal restrictions are covered. Appendices include a listing of Department of Commerce District Offices, American Embassies and Consulates, and a flowchart of the export process.				
14. SUBJECT TERMS *Chemical Defense Equipment, *Export(s), *Direct Commercial Sales, *Foreign Military Sales ←			15. NUMBER OF PAGES 57	
			16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT UNCLASSIFIED	18. SECURITY CLASSIFICATION OF THIS PAGE UNCLASSIFIED	19. SECURITY CLASSIFICATION OF ABSTRACT UNCLASSIFIED	20. LIMITATION OF ABSTRACT UL	

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# DIRECT COMMERCIAL AND FOREIGN MILITARY SALES

## Chemical Defense Equipment

### *An Introductory Brochure*

Prepared for:

795-54478

Deputy Assistant to the Secretary of Defense  
(Atomic Energy)(Chemical Matters)

June 1991

by

Ms. Catherine M. Cortes

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# DIRECT COMMERCIAL AND FOREIGN MILITARY SALES

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## DIRECT COMMERCIAL AND FOREIGN MILITARY SALES

### Background

Nations worldwide have been alerted to the potential use of chemical and biological weapons. The threat to troops and general population is making countries realize they must be prepared. This awareness presents manufacturers of chemical defense equipment with markets that otherwise would not have been considered.

American defense products are sought by foreign governments and vendors because they are reliable and of top quality. American equipment has the reputation of being consistent in performance and quality. Domestic manufacturers and vendors can use this reputation along with innovative marketing concepts and creative approaches to generate sales in foreign markets. Several avenues for export exist. The U.S. Government has programs for government to government sales through the Foreign Military Sales (FMS) program, which is part of the Security Assistance (SA) program. For FMS programs, vendors sell to the U.S. Government who in turn sells to foreign clients.

Vendors can also engage in direct commercial sales to foreign governments and foreign companies. This avenue offers great flexibility and is particularly advantageous for foreign governments who have had past experience with American vendors. Both methods will be discussed in greater detail.

The purpose of this brochure is to highlight some of the sales programs available to American companies, potential ways to find markets and clients, outline steps to take once a sale is negotiated, and what legal restrictions apply to foreign sales. This brochure is meant as an introduction to the subject. Readers are encouraged to seek further information from the points of contact identified throughout this brochure.

## Authority

Section 38 of the Arms Export Control Act authorizes the commercial export of defense articles and services and delegates the authority to regulate exportation to the Secretary of State. These regulations are administered primarily through the Office of Defense Trade Controls (formerly known as the Office of Munitions Controls), Bureau of Politico-Military Affairs.

## What Constitutes Defense Articles and Services?

Defense articles and services are listed on the United States Munitions List. Designation is determined by inherent military character and is based on whether the equipment is specifically designed, developed, configured, adapted, or modified for military or intelligence use and does not have significant civil applications. Export of equipment determined to be a defense (munitions) article is governed by the State Department's International Traffic in Arms Regulations (ITAR). Equipment not specifically military in nature is considered dual use and is subject to the Commerce Department's licensing jurisdiction for export purposes.

If in doubt, the Office of Defense Trade Controls (State Department) will determine whether an article or service is on or should be on the United States Munitions List. For a commodity jurisdiction determination, submit five (5) copies of a letter requesting the determination and technical data along with other relevant documentation/specifications to:

PM/DTC SA-6 Room 228  
Office of Defense Trade Controls  
Bureau of Politico-Military Affairs  
U.S. Department of State  
Washington, DC 20522-0602

A "defense service" can be defined as any export activity (i.e., technical assistance, manufacturing, consulting) in support of a defense (munitions) sale which exceeds basic operation and maintenance of a system.



## Finding Potential Clients

Vendors can use several sources to find potential clients.

The Department of Commerce's U.S. and Foreign Commercial Service (US&FCS) can assist exporters in identifying direct leads for potential buyers, agents, joint venture partners, and licensees from both private and public sources. The US&FCS has an extensive network of commercial officers stationed domestically (see Appendix B) and abroad. US&FCS's services and publications are available at district offices or by writing to:

Export Promotion Services  
US&FCS  
U.S. Department of Commerce  
P.O. Box 14702  
Washington, DC 20044

The Security Assistance Office (SAO) encompasses DoD elements located in foreign countries that are responsible for FMS. The elements are sometimes referred to as Office of Defense Cooperation (ODC). The SAOs/ODCs can provide industry representatives with data on the defense budget cycle in a country, the national decision-making process, the decision makers in the Ministry of Defense and military services, the national procurement process, estimates of needed equipment, marketing efforts of foreign competitors, and major in-country defense firms and their products.

U.S. Government policy in recent years has encouraged diplomatic posts to cooperate and support marketing efforts of U.S. companies in the defense trade area. Defense exports do, however, involve special considerations and responsibilities. It is not U.S. policy for embassy personnel to create markets. Whenever U.S. firms are in competition for a sale, U.S. policy is that embassy personnel support all American contenders equally.

Embassies have been advised to be well informed about, and responsive to, defense industry sales interests in host countries. Posts (see Appendix C) may provide many kinds of pertinent country information to industry representatives. Release of information depends upon available embassy resources and country sensitivity to specific data.

When providing information, posts draw on expertise within the embassy staff. Embassy personnel are permitted to assist U.S. industry representatives with appointments with host country officials. Personnel may provide names and office telephone numbers of key defense procurement officials. If requested by both industry and host country representatives, embassy officers may sit in on meetings. Post officials avoid any action that may prejudice an outcome.

The Department of State publication 7877, "Key Officers in Foreign Service Posts -- Guide for Business Representatives," lists contacts in American embassies around the world and can be used to contact SAOs. It is available through Government Printing Office bookstores (currently priced at \$1.75) or by calling 202/783-3238 to place an order. For additional information from the Department of State, write or call:

Office of Commercial, Legislative, and Public Affairs  
Bureau of Economic and Business Affairs  
Department of State  
Washington, DC 20520-5816  
202/647-1942

### Memoranda of Understanding

A reciprocal procurement Memorandum of Understanding (MOU) is a bilateral agreement between the U.S. Department of Defense and the Ministry of Defense of an allied or friendly country. The goal is to promote standardization and interoperability of defense equipment for better support in wartime. Waivers of "buy national" restrictions, customs, and duties are allowed so the signatory country contractors may participate competitively in the defense procurements of other countries.

The United States has negotiated and signed reciprocal MOUs with Belgium, Denmark, Egypt, Germany, France, Greece, Israel, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, and the United Kingdom. In addition, there are similar agreements with Australia and Canada.

The Memoranda of Understanding have generally served the best interests of the United States and have been a good foundation for armaments cooperation. These agreements continue to foster armaments cooperation while preserving business opportunities for U.S. industry in foreign markets.

For more information or copies of these agreements, write or call:

Office of Foreign Contracting  
ODASD (Procurement)  
The Pentagon, Room 2A326  
Washington, DC 20310-8000  
703/697-9351

Although most countries are free from export restrictions, be aware that certain restrictions still do exist for Eastern block countries and some Mid-East countries (Iran, Yemen, Jordan, and Iraq). The Department of State's Office of Defense Trade Controls can give advise on current restrictions.

### Direct Commercial versus Foreign Military Sales

Foreign Military Sales (FMS) and direct commercial acquisitions are simply different contracting methods which a foreign government may employ to purchase U.S. defense articles and services. In direct commercial sales, a U.S. contractor and a foreign government enter into a direct contract in accordance with U.S. law and regulations, applicable foreign laws and regulations, and provisions of international commercial law. The U.S. Government is not a direct party to commercial contractual transactions but does regulate them through the arms export licensing process. It makes the ultimate determination as to whether or not such transactions are approved and under what conditions. See Appendix A\* for some myths versus facts about direct commercial and military sales.

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\* "A Comparison of Direct Commercial Sales & Foreign Military Sales for Acquisition of U.S. Defense Articles and Services." Annex B, pgs. 29 - 31.

"The Management of Security Assistance." Appendix 1, pgs. 1-28 - 1-30.

Some potential advantages and considerations for vendors interested in direct commercial sales\* include:

<b>Potential Advantages:</b>	<b>Considerations:</b>
Potential for fixed delivery and/or fixed price with penalty if contractor fails.	Requires considerable experience and sophistication by country negotiators.
Business-to-business relationships allow countries to negotiate cost and contract terms.	If closer military-to-military relationships are a purchaser objective, FMS provides an avenue to achieve this objective.
Direct negotiations with contractors can result in a quicker response.	Requires considerable experience and sophistication by country negotiators.
Often the only source of logistics support for items not included in the U.S. inventory.	Purchaser must decide upon desired degree of standardization with U.S. forces.
More capability to tailor packaging to unique country needs.	"Tailored" package may detract from standardization desires.
Continuity of personal contacts with the contractor technical personnel.	Generally, also can be arranged via FMS case.
New equipment directly from the production line.	Generally, also can be arranged via FMS, although some spares may come from DoD inventories.
Lower prices possible under certain circumstances.	Significantly dependent on item/service involved and sophistication of country negotiators.
Generally, fixed payment schedules which ease budgeting problems.	Preponderance of payment schedules are more "front-loaded" than FMS.
Purchaser can include offset provisions in one contract.	Purchaser can negotiate offsets (directly with contractor) and still procure under FMS.
FMS administrative surcharge and DoD management costs can be avoided.	Purchaser must consider entire cost of transaction, including his contracting staff costs and possibly increased contractor administrative costs.
Commercial purchase of some types of items could help to create and develop a procurement capability.	Scarcity of resources and time may not allow for this type of on the job training for procurement staffs.

\* "A Comparison of Direct Commercial Sales & Foreign Military Sales for the Acquisition of U.S. Defense Articles and Services." Annex A, pgs. 27 - 28.

"The Management of Security Assistance." Appendix 1, pgs. 1-26 - 1-27.

## Security Assistance and Foreign Military Sales

Although this brochure is geared primarily towards those interested in direct commercial sales, information on the U.S. Government's program for defense sales and services to foreign governments is summarized in the following paragraphs.

Security Assistance (SA) evolved under a tradition of cooperation between the United States and other nations with similar values and interests in order to meet common defense goals. It consists of a group of programs authorized by the U.S. Foreign Assistance Act of 1961, as amended, and the Arms Export Control Act, as amended, and related statutes by which the U.S. provides or authorizes the provision of defense articles and services in furtherance of national policies and objectives. SA includes FMS and direct commercial sales.

FMS is managed and operated by DoD on a no-profit and no-loss basis. Defense articles, subsystems, support equipment, repair parts, and publications are provided. Services, including training in U.S. military schools or through mobile training teams, engineering, contract administration, program management, technical support, and repair are also available.

The U.S. Congress establishes the laws, authorizes programs, appropriates funds, and has an oversight role in SA. Within the Executive Branch, the Department of State, the National Security Council, the Office of Management and Budget, the Department of Treasury, the Department of Commerce, and others have responsibilities concerning SA. Aside from the President, the principal legislated responsibilities fall to the Department of State and the Department of Defense. The Secretary of State provides continuous supervision and general direction for SA, including determining whether there will be a program for a country or activity, its scope, and whether a particular sale will be made.

Each SA-recipient country has U.S. representation, usually a Security Assistance Organization (SAO) under the direction of the chief of the U.S.

diplomatic mission, for in-country management of the SA program. The SAO also provides oversight for the SA program within its assigned country in conjunction with program counterparts, the country team within the diplomatic mission, the regional commander-in-chief of the Unified Command, Office of the Joint Chiefs of Staff, Defense Security Assistance Agency, and the Military Department. Each SAO maintains the "Catalog of U.S. Defense Articles and Services."

Some potential advantages and considerations for foreign clients interested in foreign military purchases directly from the U.S. Government\* include:

<i>Potential Advantages:</i>	<i>Considerations:</i>
Total package approach based on U.S. military experience.	Purchaser must decide whether the total package may exceed his needs or financial capabilities.
U.S. Government uses its own procurement procedures and acts as procurement agent for foreign countries.	Sophisticated foreign purchasing staff may (or may not) be able to achieve better overall deal by negotiating directly with contractor.
Proven and established logistics support for items common to the DoD.	It occasionally is possible to achieve a full range of contractor logistics support.
Federal Acquisition Regulations (FAR), economic order quantity buys, use of government furnished equipment (GFE), and competitive procurements tend to reduce price.	Compliance with DoD procedures also tends to increase leadtimes, thus emphasizing the need for country planning to start procurement process earlier.
Facilitates establishment of design configuration and enhances potential for standardization.	Purchaser must decide on the degree of standardization required for a particular purchase.
Purchaser pays only the actual cost to DoD (including management expenses), with profits controlled by Federal Acquisition Regulation (FAR).	While initial Letter of Offer and Acceptance (LOA) estimates tend, in the aggregate, to be considerably higher than final LOA costs, final costs fluctuate (both up and down), making purchaser funds management more difficult.

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\* "A Comparison of Direct Commercial Sales & Foreign Military Sales for the Acquisition of U.S. Defense Articles and Services." Annex A, pgs. 27 - 28.

"The Management of Security Assistance." Appendix 1, pgs. 1-26 - 1-27.

<i>Potential Advantages:</i>	<i>Considerations:</i>
Cross-leveling in the FMS Trust Fund can maximize use of country funds.	Firm fixed priced contracts and fixed payment schedules can be obtained under direct commercial contracts.
Quality control to assure item meets military specifications (MILSPEC) is done by U.S. Government personnel.	This service can be purchased under FMS for certain direct commercial contracts.
Items may be available from DoD stocks in times of emergency.	Availability is significantly dependent on DoD's own priorities and inventory positions.
Government-to-government obligation, assuring involvement of DoD personnel in military planning, deployment concepts, operational planning, etc.	If closer military relationships are a purchaser objective, FMS provides one avenue toward achieving them.
Better access to training at U.S. military schools.	Purchaser can procure hardware under commercial contract and generally obtain associated training in U.S. military schools via FMS.
Purchase of end items facilitates maintenance of design configuration, provision of technical data, modifications, and catalog information.	Arrangements for continual configuration commonality with DoD are an integral objective of the FMS system.
FMS customers can use AUTOVON and AUTODIN systems.	Commercial customers must rely on commercial telecommunications systems.

See Appendix A\* for some myths versus facts about direct commercial and military sales.

### Technology Transfer

Technology transfer is the release of information or data to a foreign party that can be used for design, production, fabrication, modification, or reconstruction of products. Normally, technology transfer occurs when technical data, designs, plans, and blueprints are conveyed orally or in writing. However, under U.S. policy, technology transfer also occurs through

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\* "A Comparison of Direct Commercial Sales & Foreign Military Sales for Acquisition of U.S. Defense Articles and Services." Annex B, pgs. 29 - 31.

"The Management of Security Assistance." Appendix 1, pgs. 1-28 - 1-30.

transfer of products since exploitation of the product and documentation can reveal design and production information as well as operational capabilities and vulnerabilities.

Defense-related technology must be managed as a valuable and limited resource. Before any agreement is made or negotiation begun, the U.S. Government must decide whether the technological information should be shared and how the information is to be transferred and/or collaboratively developed.

The export or foreign release of products and technical data are controlled by licensing requirements of the Export Administration Act, the Arms Export Control Act, and by National Disclosure Policy for classified material.

The Export Administration Act governs the export of unclassified products and technical data primarily of a commercial nature and is administered by the Department of Commerce through the Bureau of Export Administration. These regulations contain the Commodity Control List which describes controlled products, items, or data that could contribute to the military capability of another country. For updates, write or call:

Export Assistance Division  
Bureau of Export Administration  
Washington, DC 20230  
202/377-4811

The Arms Export Control Act governs the export of products and technical data developed or modified primarily for military use and is administered by the Department of State through the International Traffic in Arms Regulations (ITAR). These regulations include the Munitions List which describe classified and unclassified controlled products. Foreign license and technical assistance between U.S. and foreign contractors must meet the requirements of the International Traffic in Arms Regulation. For more information, write or call:

PM/DTP Room 7815  
Office of Defense Trade Policy  
Bureau of Politico-Military Affairs  
U.S. Department of State  
Washington, DC 20520-7815  
202/647-4231



## Recoupment

Contractors who sell defense articles or technology developed with DoD funding or use such technology to manufacture items sold commercially to non-U.S. government customers may be subject to payment of recoupment charges to the Department of Defense. Contractors subject to the requirement have a recoupment clause (252.271-7001), required by the Defense Federal Acquisition Regulation Supplement (DFARS), in their contract. All DoD contracts over \$1 million for research, development, test, and evaluation (RDT&E) or acquisition include this clause which requires payment of the established charge within 30 days after production for a non-U.S. government customer. This is the date for determining any interest due DoD.

Recoupment charges are based on DoD costs incurred for research, development, testing, evaluation, and nonrecurring production. Methods for calculating a charge are prescribed in DoD Directive 2140.2, "Recoupment of Nonrecurring Costs on Sales of U.S. Products and Technology." The computations for major defense equipment are approved by the director of DSAA; smaller items are approved by the responsible DoD Component. Charges are reviewed annually. However, if requested by a contractor, a charge may be reviewed when significant changes occur.

For direct commercial sales, contractors reimburse the DoD for recoupment charges. For FMS transactions, the recoupment charge is included in the unit price.

Military departments routinely review Munitions Export license applications; obvious recoupment candidates are referred to DSAA along with the recommendation that the exporting contractor be informed of the recoupment charge requirement. The responsibility for notifying DoD of such sales lies with the contractor. When a defense contractor negotiates a direct sale of DoD-developed items, the amount of recoupment charge should be requested from the DoD Focal Point listed in "Recovery of Nonrecurring Costs on Commercial Sales of Defense Products and Technology and of Royalty Fees for Use of DoD Technical Data" (Part 271) of the DFARS. The request should be made as early

as possible to give the DoD Component enough time to calculate the recoupment charge.

Recoupments are based on calculations of several factors that figure in the development of a product or technology. Nonrecurring production costs are one-time costs incurred in support of previous production of the model specified and costs specifically incurred in support of the total projected production run. Included can be costs for preproduction and production engineering; special tooling; destructive and special testing; product improvement; modeling, testing, and evaluation; and may include any engineering change proposals initiated before the calculation date. Nonrecurring research, development, test, and evaluation (RDT&E) costs are funded by an appropriation to develop or improve the technology under consideration.

A cost pool represents the total cost to be distributed across a specific number of units. Pro rata recovery of nonrecurring costs (NC) is an equal distribution (proration) of a pool to a specific number of units that benefit from the investment so that a DoD Component will collect from a customer a fair (pro rata) share of the investment in the product being sold.

DoD has established a system to accumulate cost pools, recognize when a cost pool has met recoupment thresholds, and calculate a nonrecurring cost recoupment charge for items or technology releasable to foreign countries and international organizations when FMS or direct commercial sales are anticipated. The charges are based on information recorded in accounting records or budget justification documents. The DoD Comptroller provides the necessary financial guidance for recoupment and publishes a listing of DoD-developed items or categories of technology subject to recoupment charges. This list is published in Appendix E of DoD 7290.3-M, "Foreign Military Sales Financial Management Manual." The recoupment charge computation is subject to approval by the Director of DSAA. Once approved, the charge is not usually revised until a new model is released or a major improvement occurs.

Department of Defense Directive Number 2140.2 explains and gives examples of the nonrecurring cost calculations. This document is available from the National Technical Information Service (NTIS) at 703/487-4650; the NTIS code for copies is PB90 144858.

Many defense articles are produced by industry using production equipment provided by DoD or in government-owned facilities made available to the contractor to fulfill requirements. Contractors may use such facilities for direct commercial sales only with government approval and when there is no adverse impact on DoD requirements. This use may be subject to a charge by the DoD.

When a defense contractor negotiates a direct commercial sale of DoD-developed items, the amount of nonrecurring recoupment charges should be requested from the Administrative Contracting Officer who originally worked with the contractor.

DoD Focal Points maintain a central data base on established charges. Each service has a focal point that the Administrative Contracting Officer may contact for NC charge quotes.

Army: U.S. Army Security Affairs Command  
ATTN: AMSAC-RP  
5001 Eisenhower Avenue  
Alexandria, VA 22333-001

Navy: Commanding Officer  
Navy International Logistics Control Office  
700 Robbins Avenue (Code 10)  
Philadelphia, PA 19111-5095

Air Force: Chief, Security Assistance Division  
Deputy Comptroller Cost and Economics  
Department of the Air Force  
Washington, DC 20330-5018

The Arms Export Control Act requires the recoupment of a proportionate amount of nonrecurring costs of major defense equipment (MDE) from RMS and direct commercial sales customers but authorizes consideration of reductions or waivers on a case by case basis. For foreign sales, waivers for particular sales which significantly advance the U.S. government's standardization interest in NATO or with the Armed Forces of Japan, Australia, or New Zealand may be considered. Requests for waivers should originate with the foreign

government and be submitted to the Director of DSAA. For domestic commercial sales, the request for waiver may originate with DoD component or a contractor (Vice President or higher) and is submitted to the Under Secretary of Defense for Acquisition. The procedures are provided for in DoD Directive 2140.2 and Part 271 of the DFARS. Any waiver approved for a direct commercial sale requires certification by the contractor that reductions have been passed on to the customer.

### Government Exporting Regulations

Once a company has decided to get involved in international chemical defense trade, certain steps must be followed in order to deal legally with foreign governments or dealers. Any foreign acquisition of U.S. defense items requires prior approval by the U.S. Government. A variety of procedural regulations governs the manner in which both marketing and sales approval must be obtained. Equipment valued at \$14 million or more which has not been previously approved for export must have the Department of State's Office of Defense Trade Controls' approval before a commercial company can make a direct commercial sales proposal to a prospective foreign purchaser. (This requirement does not apply to the NATO governments, Australia, New Zealand, and Japan.) A favorable decision allows a contractor to conduct unclassified discussions and make a sales proposal.

Department of State approval does not authorize the actual export of defense articles or services. Such exports are authorized only after a munitions export license is obtained from the Office of Defense Trade Controls within the Department of State. Commercial sales must be consistent with U.S. national disclosure policy requirements.

The U.S. Congress must be notified of all cases for which the Office of Defense Trade Controls intends to issue an export license for the direct commercial sale of any defense articles or services which meet or exceed the statutory dollar value limits established in the Arms Export Control Act. The U.S. Government reserves the right to terminate an export license and halt the

actual export of previously-licensed items when it is determined to be in the national interest.

A third party, such as a freight forwarder, is frequently involved in the shipment/export of U.S. defense articles. Prior to shipment, the purchasing government or its representative must file documentation with the Office of Defense Trade Controls assuring and assuming full responsibility for compliance with the International Traffic in Arms Regulations.

### Export Control

Any article or service on the United States Munitions List is regulated for export exclusively by the Department of State. Exports not on the list are generally under the regulatory jurisdiction of the Department of Commerce.

Chemical defense materials are included on the United States Munitions List under Category X--Protective Personnel Equipment and Category XIV--Toxicological Agents and Equipment. As such, their export falls under the jurisdiction of the State Department.

The Department of State's Center for Defense Trade was created to improve the U.S. Government's regulatory handling of defense trade. The focus of the Center is on actual implementation of the Arms Export Control Act (AECA) and the resultant International Traffic in Arms Regulations (ITAR) as well as related policy guidelines. The Center includes the Office of Defense Trade Controls and the Office of Defense Trade Policy and may be reached at:

#### Office of Defense Trade Controls

PM/DTC SA-6 Room 228  
Office of Defense Trade Controls  
Bureau of Politico-Military Affairs  
U.S. Department of State  
Washington, DC 20522-0602

#### Office of Defense Trade Policy

PM/DTP Room 7815  
Office of Defense Trade Policy  
Bureau of Politico-Military Affairs  
U.S. Department of State  
Washington, DC 20520-7815

#### Express Mail and Courier Delivery Address

PM/DTC Room 228  
Office of Defense Trade Controls  
Bureau of Politico-Military Affairs  
U.S. Department of State  
1701 N. Fort Myer Drive  
Arlington, VA 22209-3113

PM/DTP Room 7815  
Office of Defense Trade Policy  
Bureau of Politico-Military Affairs  
U.S. Department of State  
Washington, DC 20520-7815

#### Telephone Numbers

General Information: 703/875-6644      General Information: 202/647-4231

Commodity Jurisdiction Licensing  
Team: 703/875-6644

License Status Inquiry: 703/875-6652

Registration and Compliance  
Information: 703/875-6650

#### Facsimile Numbers

Arms Licensing Division:                      PM/DTP: 202/647-1346  
703/875-6647

Compliance Analysis Division:  
703/875-5663

#### Foreign Corrupt Practices Act

The Foreign Corrupt Practices Act (FCPA) of 1977 makes certain payments, offers of payments, and gifts to foreign officials, foreign political parties, or foreign political candidates illegal if made corruptly for the purpose of obtaining, retaining, or directing business to any person. The U.S. Department of Justice and the Securities and Exchange Commission (SEC) share responsibility for enforcing this law.

The Justice Department has established the Foreign Corrupt Practices Act review procedure to allay some of the uncertainties about antibribery provisions of the Act. A business may submit details of a proposed international transaction and request a determination of Justice's enforcement intentions if the transaction were to proceed. Responses should be received within 30 days of submission of all relevant information.

The requirements for the review procedure are as follows:

- (1) an original and five (5) copies of the request must be mailed to the Attorney General in charge of the Criminal Division, Attention: FCPA Review Group, P.O. Box 29188, Central Station, Washington, DC 20038;
- (2) the subject of the request must be spelled out in detail;
- (3) the review subject must deal with proposed conduct;
- (4) the party who makes the request must be a party to the transaction.

For questions relating to a review request, contact Peter Clark of the Fraud Section of the Criminal Division at 202/786-4363.

The Securities and Exchange Commission, in turn, makes its own determinations regarding violations of the accounting and other sections of the law under its jurisdiction but defers to the Department of Justice's overall decisions.

### Commercial Vendor Export Checklist

Chemical defense materials fall under the Department of State's Munitions List jurisdiction. The first and best thing to do is register with the State Department as an exporter. Manufacturers of defense materials who do not engage in exporting must still register with the United States Department of State's Office of Defense Trade Controls.

The Department of State's Office of Defense Trade Controls (PM/DTC), formerly known as the Office of Munitions Control, has the responsibility of administering certain U.S. laws and regulations governing defense trade matters. Compliance with those laws and regulations requires two separate steps:

- (1) registration and
- (2) licensing.

### Registration

Applicants for export registration need to register with the Department of State's Office of Defense Trade Controls. That office will supply the needed forms for export application. The following documents should be included in the request for registration:

- (1) a DSP-9 form,
- (2) an appropriate fee (currently \$250 per year),
- (3) three (3) copies of documents demonstrating that the intended registrant is authorized to do business in the United States, and
- (4) a letter of transmittal, signed by an authorized senior officer.

Application packages should be mailed to:

Office of Defense Trade Controls (PM/DTC)  
Room 228, SA-6  
U.S. Department of State  
Washington, DC 20520-0602  
ATTN: REGISTRATION

Application packages sent by Express Mail should be addressed to:

Office of Defense Trade Controls (PM/DTC)  
1701 North Ft. Myer Drive  
Room 228  
Arlington, VA 22209  
ATTN: REGISTRATION

The Office of Defense Trade Controls' phone number is 703/875-6650; the FAX number is 703/875-5663. All FAX requests regarding registration should be sent to the attention of the Compliance Analysis Division (CAD).

Checks should be made payable to the Department of State.

The person signing the DSP-9 form and the transmittal letter should be a senior officer who has been authorized by the registrant to sign such documents.

The Office of Defense Trade Controls usually processes an application in about three weeks. Allow at least two weeks before calling about the status of an application.

Prepare the applications carefully; failure to do so can cause unnecessary delays in processing.

### Licensing

With few exceptions, license applications can only be processed after the exporter has registered with the Office of Defense Trade Controls, paid the appropriate fee, and has a firm sales offer negotiated with a foreign client. License applications must have specific documentation. All information must accompany the application.

All submissions to DTC must include an original letter signed by a U.S. person who is an official empowered by the applicant. If the person signing the license application differs from the person signing the letter, the letter must also certify that the application signer is a U.S. person and empowered by the applicant. The applicant must include all the required information



listed in Section 126.13 of the "International Traffic in Arms Regulations (ITAR) (22 CFR 120-130)." Copies are available from the Department of State. DTC must receive an original letter; copies are not acceptable.

Applications valued at or above \$250,000 to foreign military forces or international organizations require an additional disclaimer stating that the vendor has not received a fee, commission, or made a political contribution in order to negotiate the sale. This statement may be incorporated in the above-mentioned letter or may be submitted as a separate letter.

The International Traffic in Arms Regulations (ITAR) requires seven (7) copies of either technical data or product descriptive literature.

Section 123 of the ITAR explains what licenses and forms are needed for export of defense articles and related technical data. Form DSP-83, an application for license, must accompany any application for Significant Military Equipment (SME) and all classified transactions. SME are those articles on the U.S. Munitions List preceded by an asterisk; they require special export controls.

Forms DSP-5s and DSP-85s, other applications for licenses, must be accompanied by an order or letter of intent from the foreign client that corresponds to the items listed in the commodity block of the application. The purchase order must clearly state both the specific ultimate end-user and the specific end-use of the equipment. Should the order not state the specific end-user/end-use, a letter from the foreign customer must be submitted.

The end-user cited in block 18 of the DSP-5 or block 21 of the DSP-85 must be clearly tied to the Purchase Order or Letter of Intent. Additional documents frequently link these crucial elements.

### Exporting

Once approved, the license is issued to the vendor; the recipient, in turn, lodges the license with the district director of the U.S. Customs Service at the port of exit designated on the license. The district director

then authenticates the shipper's export declaration and endorses the license to show the shipments actually made and returns a copy of each authenticated shipper's export declaration to the Office of Defense Trade Controls.

The license is valid for three years whether or not the equipment is shipped. Not all equipment has to be shipped out at once. Smaller quantities may be shipped and will be checked off the total amounts allowed on the license. If equipment is to be shipped out after the license expiration date, a new application referring to the expired license has to be processed. Unused, expired, expended, suspended, or revoked licenses must be returned immediately to the Department of State.

For defense articles that are to be mailed, the license is to be filed with the postmaster at the post office where the equipment will be mailed. A shipper's export declaration (U.S. Department of Commerce Form 7525-V) must be filed with and authenticated by the postmaster before the article is actually sent. Every license will be returned by the postmaster to the Office of Defense Trade Controls upon completion of the mailings or the date that the license expires, whichever occurs first.

### Conclusion

Hopefully, this brochure has given you an idea of some of the steps necessary to conduct direct commercial and foreign military sales. Addresses and phone numbers of several offices that can offer help are provided throughout. Appendix D shows a flowchart of the entire process. Appendix E lists other publications that contain useful information.

This is not a complete reference of all available resources and points of contact but does include the basic considerations for vendors seeking to enter the international market.

**APPENDIX A: Common Misperceptions of FMS or  
Direct Commercial Sales\***

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\* "A Comparison of Direct Commercial Sales & Foreign Military Sales for Acquisition of U.S. Defense Articles and Services." Annex B, pgs. 29 - 31.

"The Management of Security Assistance." Appendix 1, pgs. 1-28 - 1-30.

<i>Myths:</i>	<i>Facts:</i>
FMS prices are cheaper.	Depends on item being purchased, negotiating skills, and many other variables.
Direct commercial sales are cheaper.	Depends on item being purchased, negotiating skills, and many other variables.
FMS offers better assurance for approval of transfer of technology.	Technology release considerations are identical for FMS and direct commercial sales.
Direct commercial sales offer a better assurance for approval of transfer of technology.	Technology release considerations are identical for FMS and direct commercial sales.
FMS is unreliable during hostilities involving either the user or the U.S. Government.	Foreign policy or DoD military priority decisions affect the flow of supplies to a country and can be expected to relate to the resource involved. There may be a tendency to fill FMS orders first, depending on the nature of the hostilities.
Direct commercial sales are unreliable during hostilities involving either the user or the U.S. Government.	Foreign policy or DoD military priority decisions affect the flow of supplies to a country and can be expected to relate to the resource involved. There may be a tendency to fill FMS orders first, depending on the nature of the hostilities.
Nonrecurring cost (NRC) recoupment charges are not assessed on commercial sales.	The policy for charging NRC is the same for both types of sales.
FMS provides slow/slack delivery schedule, with frequent slippages.	The numerous built-in FMS system safeguards do slow the procurement process sometimes, although there seldom are slippages once delivery schedules are established. However, in a contingency situation where a U.S. Government decision is made to divert items from service stocks and expedite delivery, service is exemplary.
No purchaser control or participation in FMS.	True only in the contract negotiation process. Selection of configuration, range, and depth of spares, support equipment, etc., remains in control of purchaser. Program management review conferences are held as necessary to assure purchaser needs are met.

<b>Myths:</b>	<b>Facts:</b>
FMS system is characterized by a lack of continuity of personnel contact due to military personnel rotations.	While this may be true for some cases, there are many DoD civilians who do not rotate. Also, military tour is normally 3-4 years--about equal to commercial executive transfer patterns.
No offset arrangements or coproduction programs are possible under FMS.	Not true. These are common to many FMS cases. However, offsets must be negotiated separately by the purchaser with the contractor.
Only FMS sales require U.S. Government approval and Congressional notification (Arms Export Control Act, Sec. 36b), if necessary.	All items meeting Arms Export Control Act notification thresholds require notification under both sales systems.
U.S. Government reserves the right to terminate an FMS export license in the U.S. national interest.	Applies equally to both FMS and commercial sales systems.
Quality control is not assured for items bought commercially.	Contractor sales depend on product. Also, U.S. Government quality control can be purchased for standard items.
Contractor involvement stops once an end item is sold.	Contractor participation in follow-on support and maintenance programs is common under either commercial or FMS.
U.S. Government controls third country sales only for items sold under FMS.	Criteria and policy are the same for items purchased through either FMS or commercial sales.

*APPENDIX B: Department of Commerce District Offices\**

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\* "A Basic Guide to Exporting." U.S. Department of Commerce, International Trade Administration, U.S. and Foreign Commercial Service, pg. 144.

DEPARTMENT OF COMMERCE DISTRICT OFFICES

ALABAMA	Suite 302, Berry Bldg. 2015 2nd Ave., North Birmingham 35203	205/731-1331
ALASKA	222 West 7th Ave. P.O. Box 32 Anchorage 99513-7591	907/271-5041
ARIZONA	Federal Bldg., Room 3412 230 N. First Ave. Phoenix 85025	602/379-3285
ARKANSAS	Suite 811, Savers Fed. Bldg. 320 W. Capitol Ave. Little Rock 72201	501/378-5794
CALIFORNIA	Fed. Bldg., Box 36013 450 Golden Gate Ave. San Francisco 94102	415/556-5860
	Room 9200, 11000 Wilshire Blvd. Los Angeles 90024	213/209-7104
	6363 Greenwich Dr., Suite 145 San Diego 92122	619/557-5395
	116 W. 4th St., Suite 1 Santa Ana 92701	714/836-2461
	111 W. St. John St., Room 424 San Jose 95113	408/291-7648
COLORADO	1625 Broadway, Suite 600 Denver 80202	303/844-3246
CONNECTICUT	Rm. 610-B, Fed. Off. Bldg. 450 Main St. Hartford 06103	203/240-3530
DISTRICT OF COLUMBIA	U.S. Department of Commerce Room 1056 14th & Constitution, N.W. Washington 20230	202/377-3181
FLORIDA	Suite 224, Fed. Bldg. 51 S.W. First Ave. Miami 33130	305/536-5267
	128 N. Osceola Ave. Clearwater 34615	813/461-0011
	3100 University Blvd. South Suite 200A Jacksonville 32216	904/791-2796
	Room 346--CEBA II College of Business Admin. Univ. of Central Florida Orlando 32802	407/648-1608

DEPARTMENT OF COMMERCE DISTRICT OFFICES

	Collins Bldg., Rm. 401 107 W. Gaines St. Tallahassee 32304	904/488-6469
GEORGIA	Suite 504 1365 Peachtree St., N.E. Atlanta 30309	404/347-7000
	120 Barnard St., A-107 Savannah 31401	912/944-4204
HAWAII	4106 Fed. Bldg., P.O. Box 50026 300 Ala Moana Blvd. Honolulu 96850	808/451-1782
IDAHO	2nd Floor, Hall of Mirrors 700 W. State St. Boise 83720	208/334-3857
ILLINOIS	1406 Mid Continental Plaza Bldg. 55 E. Monroe St. Chicago 60603	312/353-4450
	W.R. Harper College Algonquin & Rosell Rd. Palatine 60067	312/397-3000 ext. 2532
	515 N. Court St., P.O. Box 1747 Rockford 61110-0247	815/987-8123
INDIANA	One North Capitol, Suite 520 Indianapolis 46204	317/226-6214
IOWA	817 Fed. Bldg. 210 Walnut St. Des Moines 50309	515/284-4222
KANSAS	River Park Pl., Suite 530 727 N. Waco Wichita 67203	316/269-6160
KENTUCKY	601 W. Broadway, Rm. 636B U.S. Post Office and Court House Bldg. Louisville 40202	502/582-5066
LOUISIANA	432 World Trade Center No. 2 Canal St. New Orleans 70130	504/589-6546
MAINE	77 Sewall St. Augusta 04330	207/622-8249
MARYLAND	415 U.S. Customhouse 40 S. Gay St. Baltimore 21202	301/962-3560
	101 Monroe St., 15th Fl. Rockville 20850	301/251-2345



DEPARTMENT OF COMMERCE DISTRICT OFFICES

<b>MASSACHUSETTS</b>	World Trade Center, Suite 307 Commonwealth Pier Area Boston 02210	617/565-8563
<b>MICHIGAN</b>	1140 McNarmara Bldg. 477 Michigan Ave. Detroit 48226	313/226-3650
	300 Monroe N.W., Rm. 409 Grand Rapids 49503	616-456-2411
<b>MINNESOTA</b>	108 Fed. Bldg. 110 S. 4th St. Minneapolis 55401	612/348-1638
<b>MISSISSIPPI</b>	Jackson Mall Office Ctr. Suite 328 300 Woodrow Wilson Blvd. Jackson 39213	601/965-4388
<b>MISSOURI</b>	7911 Forsyth Blvd., Suite 610 St. Louis 63105	314/425-3302
	Rm. 635, 601 E. 12th St. Kansas City 64106	816/426-3141
<b>NEBRASKA</b>	11133 "O" St. Omaha 68137	402/221-3664
<b>NEVADA</b>	1755 E. Plumb Lane, Suite 152 Reno 89502	702/784-5203
<b>NEW JERSEY</b>	3131 Princeton Pike Bldg. #6, Suite 100 Trenton 08648	609/989-2100
<b>NEW MEXICO</b>	625 Silver S.W., 3rd Floor Albuquerque 87102	505/262-6024
	Economic Devel. & Tourism Dept. 1100 St. Francis Dr. Santa Fe 87503	505/827-0264
<b>NEW YORK</b>	1312 Fed. Bldg. 111 W. Huron St. Buffalo 14202	716/846-4191
	111 East Ave., Suite 220 Rochester 14604	716/263-6480
	Rm. 3718, Fed. Off. Bldg. 26 Fed. Plaza, Foley Sq. New York 10278	212/264-0634
<b>NORTH CAROLINA</b>	203 Fed. Bldg., 324 W. Market St. P.O. Box 1950 Greensboro 27402	919/333-5345
	Dobbs Bldg., Rm. 294 430 N. Salisbury St. Raleigh 27611	919/755-4687

DEPARTMENT OF COMMERCE DISTRICT OFFICES

OHIO	9504 Fed. Off. Bldg. 550 Main St. Cincinnati 45202	513/684-2944
	Rm. 600, 668 Euclid Ave. Cleveland 44114	216/522-4750
OKLAHOMA	6601 Broadway Extension Oklahoma City 73116	405/231-5301
	Rm. 505, 440 S. Houston St. Tulsa 74127	918/581-7650
OREGON	One World Trade Center 121 SW Salmon St., Suite 242 Portland 97204	503/326-3001
PENNSYLVANIA	475 Allendale Rd., Suite 202 King of Prussia Philadelphia 19406	215/962-4980
	2002 Fed. Bldg. 1000 Liberty Ave. Pittsburgh 15222	412/644-2850
PUERTO RICO	Rm. G-55, Fed. Bldg. San Juan 00918	809/766-5555
RHODE ISLAND	7 Jackson Walkway Providence 02903	401/528-5104
SOUTH CAROLINA	Strom Thurmond Fed. Bldg. Suite 172 1835 Assembly St. Columbia 29201	803/765-5345
	JC Long Bldg., Rm. 128 9 Liberty St. Charleston 29424	803/724-4361
	P.O. Box 5823, Station B Greenville 29606	803/235-5919
TENNESSEE	Suite 1114, Parkway Towers James Robertson Parkway Nashville 37219-1505	615/736-5161
	22 N. Front St. Falls Bldg., Suite 200 Memphis 38103	901/521-4137
TEXAS	Rm. 7A5, 1100 Commerce St. Dallas 75242-0787	214/767-0542
	P.O. Box 12728 Suite 1200, 815 Congress Ave. Austin 78711	512/482-5939
	2625 Fed. Courthouse Bldg. 515 Rusk St. Houston 77002	713/229-2578

DEPARTMENT OF COMMERCE DISTRICT OFFICES

UTAH	U.S. Courthouse, Rm. 340 350 S. Main St. Salt Lake City 84101	801/524-5116
VIRGINIA	8010 Fed. Bldg., 400 N. 8th St. Richmond 23240	804/771-2246
WASHINGTON	3131 Elliott Ave., Suite 290 Seattle 98121	206/442-5616
	Room 605 W. 808 Spokane Falls Blvd. Spokane 99207	509/353-2922
WEST VIRGINIA	3402 New Fed. Bldg. 500 Quarrier St. Charleston 25301	304/347-5123
WISCONSIN	Fed. Bldg., U.S. Courthouse Rm. 606, 517 E. Wisconsin Ave. Milwaukee 53202	414/297-3473

***APPENDIX C: American Embassies and Consulates\****

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\* "Key Officers of Foreign Service Posts: Guide for Business Representatives." United States Department of State, pgs. 1 - 48.

AMERICAN EMBASSIES AND CONSULATES

ALGERIA	Algiers	Tel: [213](2)601-425/255/186 Telex: 66047 Fax: [213](2)603-979 FCS Fax: [213](2)601-863 Workweek: Saturday-Wednesday
	Oran	Tel: [213](6)334-509 Telex: 22310 AMCONRN Workweek: Saturday-Wednesday
ANTIGUA AND BARBUDA	St. Johns	Tel: (809)462-3505/06 Telex: 2140USEMB Fax: (809)462-3516
ARGENTINA	Buenos Aires	Tel: [54](1)774-7611/8811/ 9911 Telex: 18156 AMEMBAR
AUSTRALIA	Canberra	Tel: [61](6)270-5000 Telex: 62104 USAEMB Fax: [61](6)270-5970
	South Melbourne	Tel: [61](3)697-7900 Fax: [61](3)699-2608
	Sydney	Tel: [61](2)261-9200 Fax: [61](2)264-9908 FCS Fax: [61](2)261-8148
	Perth	Tel: [61](9)221-1177 Fax: [61](9)325-3569
	Brisbane	Tel: [61](7)839-8955 Telex: 145695 AMCON B
AUSTRIA	Vienna	Tel: [43](222)31-55-11 Telex: 114634 Fax: [43](222)310-0682
	Salzburg	Tel: [43](662)28-6-01 Telex: 63-31-64
BAHAMAS	Nassau	Tel: (809)322-1181 and 328- 2206 Telex: 20-138 AMEMB NS138 Fax: (809)328-7838
BAHRAIN	Manama	Tel: [973]273300 Telex: 9398 USATO BN Fax: [973]272594 Workweek: Saturday-Wednesday
BANGLADESH	Dhaka	Tel: [880](2)884700-22 Telex: 642319 AEDKA BJ Fax: [880](2)883648 Workweek: Sunday-Thursday
BARBADOS	Bridgetown	Tel: (809)436-4950 thru 7 Telex: 2259 USEMB BG1 WB Fax: (809)429-5246

AMERICAN EMBASSIES AND CONSULATES

BELGIUM	Brussels	Tel: [32](2)513-3830 Telex: 846-21336 Fax: [32](2)511-2725
	Antwerp	Tel: [32](03)225-0071 Telex: 31966 Fax: [32](03)234-3698
BELIZE	Belize City	Tel: [501](2)77161 Fax: [501](2)30802
BENIN	Cotonou	Tel: [229]30-06-50 Fax: [229]30-19-74
BERMUDA	Hamilton	Tel: (809)295-1342 Fax: (809)295-1592
BOLIVIA	La Paz	Tel: [591](2)350251, 350120 Telex: AMEMB BV 3268 Fax: [591](2)359875
BOTSWANA	Gaborone	Tel: [267]353-982 Telex: 2554 AMEMB BD Fax: [267]356-947
BRAZIL	Brasilia	Tel: [55](61)321-7272 Telex: 061-1091 Fax: [55](61)225-9136
	Rio de Janeiro	Tel: [55](21)292-7117 Telex: AMCONSUL 21-22831 Fax: [55](21)220-0439
	São Paulo	Tel: [55](11)881-6511 Telex: 11-31574 Fax: [55](11)280-3517
	Porto Alegre	Tel: [55](512)26-4288/4697 Telex: 051-2292 CGEU BR
	Recife	Tel: [55](81)221-1412 Telex: 081-1190
BRUNEI	Bandar Seri Begawan	Tel: [673](2)29670 Telex: BU 2609 AMEMB Fax: [673](2)25293
BULGARIA	Sofia	Tel: [359](2)88-48-01 to 05 Telex: 22690 BG
BURKINA FASO	Ouagadougou	Tel: [226]30-67-23/24/25 Telex: AMEMB 5290 BF
BURMA	Rangoon	Tel: [95](1)82055 or 82181 Telex: 21230 AIDRGN BM Fax: [95](1)80409
BURUNDI	Bujumbura	Tel: 234-54 thru 56
CAMEROON	Yaounde	Tel: [237]234014 Telex: 8223KN

**AMERICAN EMBASSIES AND CONSULATES**

	Douala	Tel: [237]425331, 423434 Telex: 5233KN Fax: [237]427790
<b>CANADA</b>	Ottawa	Tel: (613)238-5335 Fax: (613)233-8511
	Calgary	Tel: (403)265-2116 or 266-8962 Fax: (403)264-6630
	Halifax	Tel: (902)429-2480/1 Fax: (902)423-6861
	Montreal	Tel: (514)398-9695 Fax: (514)281-1072
	Quebec	Tel: (418)692-2095 Fax: (418)692-4640
	Toronto	Tel: (416)595-1700 Fax: (416)595-0051
	Vancouver	Tel: (604)685-4311 Fax: (604)685-5285
<b>REPUBLIC OF CAPE VERDE</b>	Praia	Tel: [238]614-363 or 614-253 Telex: 6068 AMEMB CV
<b>CENTRAL AFRICAN REPUBLIC</b>	Bangui	Tel: 61-01-00, 61-25-78, 61-43-33 Telex: 5287 RC Fax: [190](236)61-44-94
<b>CHAD</b>	N'Djamena	Tel: [235](51)62-18, 40-09 Telex: 5203 KD
<b>CHILE</b>	Santiago	Tel: [56](2)710133/90 and 710326/75 Telex: 240062-USA-CL Fax: [56](2)699-1141 FCS Fax: [56](2)697-2051
<b>CHINA</b>	Beijing	Tel: [86](1)532-3831 Telex: AMEMB CN 22701 Fax: [86](1)532-3178
	Guangzhou	Tel: [86](20)669900, ext. 1000 Telex: GZDFHCN 44439
	Shanghai	Tel: [86](21)433-6880 Telex: 33383 USCG CN Fax: [86](21)433-4122 FCS Fax: [86](21)433-1576
	Shenyang	Tel: [86](24)290000 Telex: 80011 AMCS CN Fax: 290074

**AMERICAN EMBASSIES AND CONSULATES**

	Chengdu	Tel: [86](028)24481, ext. 131, 135, 138, 141, 130 Telex: 60128 CGHCH CN Fax: [86](028)583-520
COLOMBIA	Bogota	Tel: [57](1)285-1300/1688 Telex: 44843 Fax: [57](1)288-5687
	Barranquilla	Tel: [57](58)45-7088/7560 Telex: 33482 AMCO CO Fax: [57](58)45-9464
COMOROS	Moroni	Tel: 73-12-03, 73-09-22 Telex: 257 AMEMB KO
PEOPLE'S REPUBLIC OF THE CONGO	Brazzaville	Tel: 83-20-70, 83-26-24 Telex: 5367 KG
COSTA RICA	San Jose	Tel: [506]20-39-39 Fax: [506]20-23-05
COTE D'IVOIRE	Abidjan	Tel: [225]21-09-79 or 21-46-72 Telex: 23660 Fax: [225]22-32-59
CUBA	Havana (Swiss Embassy)	Tel: 320551, 320543 Telex: 512206
CYPRUS	Nicosia	Tel: [357](2)4651510 Telex: 4160 AMEMY CY Fax: [357](2)459-571
CZECHOSLOVAKIA	Prague	Tel: [42](2)53 6641/9 Telex: 21196 AMEMBC
DENMARK	Copenhagen	Tel: [45](31)42-31-44 Telex: 22216 AMEMB DK Fax: [45](35)43-02-23
REPUBLIC OF DJIBOUTI	Djibouti	Tel: [253]35-39-95 Fax: [253]35-39-40 Workweek: Sunday-Thursday
DOMINICAN REPUBLIC	Santo Domingo	Tel: (809)5412171 Telex: 3460013
ECUADOR	Quito	Tel: [593](2)562-890 Fax: [593](2)502-052
	Guayaquil	Tel: [593](4)323570 Fax: [593](4)325-286
EGYPT, ARAB REPUBLIC OF	Cairo	Tel: [20](2)355-7371 Telex: 93773 AMEMB Fax: [20]355-7375 Workweek: Sunday-Thursday



AMERICAN EMBASSIES AND CONSULATES

	Alexandria	Tel: [20](3)482-1911 Fax: [20](3)483-8830 Workweek: Sunday-Thursday
EL SALVADOR	San Salvador	Tel: [503]98-1666 Telex: 20657 Fax: [503]265-301
EQUATORIAL GUINEA	Malabo	Tel: Op. Asst. [240](9)2406, 2507
ETHIOPIA	Addis Ababa	Tel: [251](01)550666 Telex: 21282 Fax: [251](1)551-166
FIJI	Suva	Tel: [679]314-466314069 Telex: 2255 AMEMBASY FJ
FINLAND	Helsinki	Tel: [358](0)171931 Telex: 121644 USEMB SF Fax: [3580]174681 FCS Fax: [3580]635332
FRANCE	Paris	Tel: [33](1)42-96-12-02, 42- 61-80-75 Telex: 650221 AMEMB Fax: [33](1)42-66-97-83
	Bordeaux	Tel: [33](56)52-65-95 Telex: 540918 USCSUL Fax: [33](56)51-6042
	Lyon	Tel: [33](78)246-849 Telex: 380597 USCSUL
	Marseille	Tel: [33](91)54-92-00 Telex: 430597 Fax: (91)55-09-47
	Strasbourg	Tel: [33](88)35-31-04 Telex: 870907 AMERCON
FRENCH CARIBBEAN DEPARTMENT	Martinique	Tel: [33](88)35-31-04 Telex: 870907 AMERCON Fax: [596]60-20-80
GABON	Libreville	Tel: [241]762003/4, 743492 Telex: 5250 GO Fax: [241]745-507
THE GAMBIA	Banjul	Tel: [220]92856 or 92858, 91970, 91971 Telex: 2300 GV Fax: [220]92475
GERMANY (GDR)	Berlin	Tel: [37](2)2202741 Telex: 112479 USEMB DD
GERMANY (FRG)	Bonn	Tel: [49](228)3391 Telex: 885-452 Fax: [49](228)339-2125

AMERICAN EMBASSIES AND CONSULATES

	Berlin	Tel: [49](30)819-7561 Telex: 183-701 USBER-D
	Frankfurt	Tel: [49](69)75305-0 or 75304-0 Fax: [49](69)748-938
	Hamburg	Tel: [49](40)411710, after hours [49](40)4117-1211 Telex: 2163970 ATO D FCS Fax: [49](40)4106598
	Munich	Tel: [49](89)23011 Telex: 5-22697 ACGM D FCS Fax: [49](89)285-261
	Stuttgart	Tel: [49](711)210221 Fax: [49](711)649-4786 FCS Fax: [49](711)234-350
GHANA	Accra	Tel: [233](21)775348/9, 775297/8 (Chancery); 776601/2, 776944 (Annex) Telex: 2579 EMBUSA GH
GREECE	Athens	Tel: [30](1)721-2951 or 721- 8401 Telex: 21-5548 Fax: [30](1)646-3450
	Thessaloniki	Tel: [30](31)266-121
GRENADA	St. George's	Tel: (809)444-1173/8 Fax: (809)444-4820
GUATEMALA	Guatemala City	Tel: [502](2)31-15-41 Fax: [502](2)31-88-85
GUINEA	Conakry	Tel: 44-15-20 thru 24
GUINEA-BISSAU	Bissau	Tel: [245]21-2816/7, 21-3674
GUYANA	Georgetown	Tel: [592](2)54900/9 Telex: 213 AMESY GY Fax: [592](2)58497
HAITI	Port-au-Prince	Tel: [509](1)20354, 20368, 20200, 20612 Fax: [509](1)39007
THE HOLY SEE	Vatican City	Tel: [396]639-0558 Telex: 622322 AMBRMC Fax: [39](6)638-0159
HONDURAS	Tegucigalpa	Tel: [504]32-3120 Fax: [504]32-0027
HONG KONG	Hong Kong	Tel: [852](5)239011 Telex: 63141 USDOC HX Fax: [852](5)845-1598

AMERICAN EMBASSIES AND CONSULATES

<b>HUNGARY</b>	Budapest	Tel: [36](1)112-6450 Telex: 18048 224-222 Fax: [36](1)132-8934
<b>ICELAND</b>	Reykjavik	Tel: [354](1)29100 Telex: USEMB IS3044 Fax: [354](1)29139
<b>INDIA</b>	New Delhi	Tel: [91](11)600651 Telex: 031-65269 USEM IN Fax: [91](11)672476
	Bombay	Tel: [91](022)822-3611 Telex: 011-75425 ACON IN Fax: [91](22)822-0350
	Calcutta	Tel: [91](033)44-3611/6 Telex: 021-5982
	Madras	Tel: [91](44)473-040/477-542
<b>INDONESIA</b>	Jakarta	Tel: [62](21)360-360 Telex: 44218 AMEMB JKT
	Medan	Tel: [62](61)322200 Telex: 51764
	Surabaya	Tel: [62](31)69287/8 Telex: 031-334
<b>IRAQ</b>	Baghdad	Tel: [964](1)719-6138/9, 7181840, 719-3791 Telex: 212287 USINT IK, 213966 USFCS IK Workweek: Sunday-Thursday
<b>IRELAND</b>	Dublin	Tel: [353](1)688777 Fax: [353](1)689-946
<b>ISRAEL</b>	Tel Aviv	Tel: [972](3)6543388 Telex: 33376 or 371386 USFCS IL
<b>ITALY</b>	Rome	Tel: [39](6)46741 Telex: 622322 AMBRMA Fax: [39](6)4674-2356 FCS Fax: [39](6)4674-2113
	Genoa	Tel: [39](10)282-741 thru 5 Telex: 270324 AMCOGE I Fax: [39](10)268-346
	Milan	Tel: [39](2)900-4559 Telex: 330208 Commercial Section: [39](2)498-2241/2/3 Fax: [39](2)653-251 FCS Fax: [39](2)481-4161
	Naples	Tel: [39](81)761-4303 Fax: [39](81)761-1869

AMERICAN EMBASSIES AND CONSULATES

	Palermo	Tel: [39](91)343-532 Telex: 910313 USA CON I Commercial Section: [39](91)346-036, 345-192 Fax: [39](91)343-546
	Florence	Tel: [39](55)2398276/7/8/9 Telex: 570577 AMCOFI I Fax [39](55)284-088 Commercial Section: [39](55)211-676 FCS Fax: [39](55)283-780
JAMAICA	Kingston	Tel: (809)929-4850 Fax: (809)926-6743
JAPAN	Tokyo	Tel: [81](3)224-5000 Telex: 2422118 AMEMB J Fax: [81](3)505-1862
	U.S. Export Development Office, Tokyo	Tel: [81](3)987-2441 Telex: 27224468 Fax: [81](3)987-2447
	Naha, Okinawa	Tel: [81](98)876-4211 Fax: [81](98)876-4243
	Osaka-Kobe	Tel: [81](6)315-5900 Telex: 5233037 AMCONJ Fax: [81](6)361-5397
	Sapporo	Tel: [81](11)641-1115/7 Telex: 935338 AMCONSJ Fax: [81](11)643-1283
	Fukuoka	Tel: [81](92)751-9331/4 Telex: 725679 Fax: [81](92)713-9222
JERUSALEM	Jerusalem	Tel: [972](2)234271 (via Israel)
JORDAN	Amman	Tel: [962](6)644-371 Commercial Office: Telex: 24070 USCOMMJO COM Fax: [962](6)659-667 Workweek: Sunday-Thursday
KENYA	Nairobi	Tel: [254](2)333834 Telex: 22964 Fax: [254](2)340838
	Mombasa	Tel: [254](11)315101 Telex: 21063 AMCONS
KOREA	Seoul	Tel: [82](2)732-2601 thru 18 Fax: [82](2)738-8845

AMERICAN EMBASSIES AND CONSULATES

	U.S. Export Development Office/U.S. Trade Center, Seoul	Fax: [82](2)739-1628
	Pusan	Tel: 23-7791
KUWAIT	Kuwait	Tel: [965]242-4151 thru 9 Telex: 2039 HILTELS KT FCS Fax: [965]240-7368
LAOS	Vientiane	Tel: 2220, 2357, 2384 or 3570 and 2357 after hours
LEBANON	Beirut	Tel: [961]417774, 715802/3, 402200, 403300
LESOTHO	Maseru	Tel: [266]312666 Telex: 4506 USAID Fax: [266]310-666, x102
LIBERIA	Monrovia	Tel: [231]222-991 thru 4 Fax: [231]222-450
LUXEMBOURG	Luxembourg	Tel: [352]46 01 23 Fax: [352]46 14 01
MADAGASCAR	Antananarivo	Tel: 212-57, 209-56, 200-89, 207-18 Telex: USA EMB MG 22202, 101 ANTANANARIVO Fax: 261-234-539
MALAWI	Lilongwe	Tel: 730-166 Telex: 44627 Fax: [265]732-282
MALAYSIA	Kuala Lumpur	Tel: [6](03)248-9011 Fax: [60](3)243-5207 FCS Fax: [60](3)243-2450
MALI	Bamako	Tel: 225470 Telex: 2448 AMEMB MJ Fax: [223]233712
MALTA	Valletta	Tel: [356]240424/425, 243216/217/653, 223654 Fax: [356]240424/425, 243216/217/653, 223654
MARSHALL ISLANDS	Majuro	Tel: 692-4011
MAURITANIA	Nouakchott	Tel: [222]52660/3 Telex: AMEMB 558 MTN Fax: [222](2)52589 Workweek: Sunday-Thursday
MAURITIUS	Port Louis	Tel: [230]082347 Fax: [230]089534

AMERICAN EMBASSIES AND CONSULATES

MEXICO	Mexico City	Tel: [52](5)211-0042 Telex: 017-73-091 and 017-75-685 Fax: [52](5)511-9980, 208-3373
	U.S. Export Development Office	Tel: [52](5)591-0155 Telex: 01773471 Fax: [52](5)566-111
	Ciudad Juarez	Tel: [52](16)134048 Telex: 033-840 Fax: [52](16)6-9056
	Guadalajara	Tel: [52](36)25-2998, 25-2700 Telex: 068-2-860 ACDMC Fax: [52](36)26-6549
	Monterrey	Tel: [52](83)45-2120 Telex: 0382853 ACMYME Fax: [52](83)45-7748
	Tijuana	Tel: [52](66)81-7400 Telex: 0566836 ACTJMEX Fax: [52](66)81-8016
	Hermosillo	Tel: [52](62)1723-75 Telex: 058829 ACHEME Fax: [52](62)172578
	Matamoros	Tel: [52](89)6-72-70/1/2 Telex: 035-827 ACMTME Fax: [52](89)38048
	Mazatlan	Tel: [52](678)5-22-05 Telex: 066-883 ACMZME Fax: [52](678)2-1454
	Merida	Tel: [52](99)25-5011 Telex: 0753885 ACMEME Fax: [52](99)25-6219
	Nuevo Laredo	Tel: [52](87)4-0696, 4-9616 Fax: [52](87)4-0696 x128
MICRONESIA	Kolonia	Tel: 691-320-2187
PEOPLE'S REPUBLIC OF MONGOLIA	Ulaanbaatar	Tel: 29095 and 27411 Telex: 253 AMEMB MH
MOROCCO	Rabat	Tel: [212](7)622-65 Telex: 31005
	Casablanca	Tel: [212]26-45-50
MOZAMBIQUE	Maputo	Tel: [258](1)49-27-97, 49-01-67, 49-03-50 Telex: 6-143 AMEMB MO Fax: [258](1)49-01-14

AMERICAN EMBASSIES AND CONSULATES

NAMIBIA	Windhoek	Tel: [264](61)229-791, 222-675, 222-680 Fax: [264](61)229-792
NEPAL	Kathmandu	Tel: [977](1)411179, 412718, 411601, 411604, 411613 Telex: NP2381 AEKTM Fax: [977](1)419963
NETHERLANDS	The Hague	Tel: [31](70)362-4911 Fax: [31](70)361-4688
	Amsterdam	Tel: [31](20)664-5661 Telex: 044-16176 CGUSA NL Fax: [31](20)761761 FCS Fax: [31](20)752-856
NETHERLANDS ANTILLES	Curaçao	Tel: [599](9)613066 Telex: 1062 AMCON NA Fax: [599](9)616489
NEW ZEALAND	Wellington	Tel: [64](4)722-068 Fax: [64](4)712-380
	Auckland	Tel: [64](9)303-2724 Fax: [64](9)366-0870
NICARAGUA	Managua	Tel: [505](2)666010, 666013, 66015-18, 666026-27, 666032-34 Fax: [505](2)666046
NIGER	Niamey	Tel: [227]72-26-61 thru 4 Telex: EMB NIA 5444NI
NIGERIA	Lagos	Tel: [234](1)610097 Telex: 23616 EMLA NG and 61670 USATO NG Fax: [234](1)610257 Commercial Section: Fax: [234](1)619856
	Kaduna	Tel: [234](62)201070, 201071, 201072 Telex: 71617 CG NG
NORWAY	Oslo	Tel: [47](2)44-85-50 Fax: [47](2)43-07-77
OMAN	Muscat	Tel: [968]703-287, 702-545 Telex: 3785 AMEMBMUS ON ECA Fax: [968]699-669 Workweek: Saturday-Wednesday, 7:30 - 4:00
PAKISTAN	Islamabad	Tel: [92](51)826161 thru 79 Telex: 82-5-864 Fax: [92](51)822004 Workweek: Sunday-Thursday

AMERICAN EMBASSIES AND CONSULATES

	Karachi	Tel: [92](21)518180 thru 9 Telex: 82-2-611 Fax: [92](21)510496 Workweek: Sunday-Thursday
	Lahore	Tel: [92](42) 870221 thru 5 Workweek: Sunday-Thursday
	Peshawar	Tel: [92](521)79801, 79802, 79803 Telex: 52-364 Workweek: Sunday-Thursday
REPUBLIC OF PALAU	Koror	Tel: 160-680-920/990
PANAMA	Panama City	Tel: [507]27-1777 Fax: [507]03-9470
PAPUA NEW GUINEA	Port Moresby	Tel: [675]211-455/594/654 Telex: 22189 USAEM Fax: [675]213-423
PARAGUAY	Asuncion	Tel: [595](21)213-715 Fax: [595](21)213-728
PERU	Lima	Tel: [51](14)338-000 Telex: 25212 PE (USEMBGSO) Fax: [51](14)316682 Commercial Section: Tel: [51](14)33-0555 Fax: [51](14)31-1105
PHILIPPINES	Manila	Tel: [63](2)521-7116 Telex: 722-27366 AME PH Commercial Office: Tel: [63](2)818-6674 Telex: 22708 COSEC PH
	Cebu	Tel: [63](32)73486 Telex: 712-6226 AMCON PU
POLAND	Warsaw	Tel: [48](22)283041-9 Telex: 813304 AMEMB POL
	U.S. Trade Center, Warsaw	Tel: [48](22)21-45-15 Telex: 813934 USTDO PL Fax: [48](22)216327
	Krakow	Tel: [48](12)229764, 221400, 226040, 227793 Telex: 0325350 Fax: [48](12)218292
	Poznan	Tel: [48](61)529874 Telex: 041-37-74 USA PL Fax: [48](61)530053
PORTUGAL	Lisbon	Tel: [351](1)726-6600, 726- 6659, 726-8670, 726-8880 Telex: 12528 AMEMB Fax: [351](1)726-9109



AMERICAN EMBASSIES AND CONSULATES

	Oporto	Tel: [351](2)63094 and 690008 Telex: 24905 AMCONP Fax: [351](2)6002737
	Ponta Delgada, São Miguel, Azores	Tel: [351](96)22216/7 Telex: 82126 AMCNPD P Fax: [351](96)27216
<b>QATAR</b>	Doha	Tel: [974]864701/2/3 Commercial Section: Tel: [974]867460 Telex: 4847 AMEMB DH Fax: [974]861669 Workweek: Saturday-Wednesday
<b>ROMANIA</b>	Bucharest	Tel: [40](0)10-40-40 Telex: 11416
<b>RWANDA</b>	Kigali	Tel: [205]75601/2/3 and 72126/7/8 Fax: [250]72128
<b>SAUDI ARABIA</b>	Riyadh	Tel: [966](1)488-3800 Telex: 406866 AMEMB SJ Fax: 488-3278 FCS Telex: 401363 USFCS SJ FCS Fax: [966](1)488-3237 Workweek: Saturday-Wednesday
	Dhahran	Tel: [966](3)891-3200 Telex: 801925 AMCON SJ Fax: [966](3)891-3296 FCS Fax: [966](3)891-8332 Workweek: Saturday-Wednesday
	Jeddah	Tel: [966](2)667-0080 Telex: 605175 USCONS SJ Fax: 669-3074 Commercial Office: Tel: [966](2)667-0040 Telex: 601459 USFCS SJ FCS Fax: [966](2)665-8106 Workweek: Saturday-Wednesday
<b>SENEGAL</b>	Dakar	Tel: [221]23-42-96 or 23-34- 24 Telex: 21793 AMEMB SG Fax: [221]22-29-91
<b>SEYCHELLES</b>	Victoria	Tel: 23921/22
<b>SIERRA LEONE</b>	Freetown	Tel: 26481 Telex: (989)3509 USEMBSL
<b>SINGAPORE</b>	Singapore	Tel: [65]338-0251 Telex: RS 42289 AMEMB
<b>SOLOMON ISLANDS</b>	Honiara	Tel: (677)23890 Telex: 66461 HQ USACON Fax: (677)23488

AMERICAN EMBASSIES AND CONSULATES

<b>SOMALIA</b>	Mogadishu	Tel: [252](01)39971, after hours 39959 Telex: (999)789 AMEM MOG Workweek: Sunday-Thursday
<b>SOUTH AFRICA</b>	Pretoria	Tel: [27](12)28-4266 Telex: 3-751 Fax: [27](12)28-4266 x259
	Cape Town	Tel: [27](21)214-280/7 Telex: 522387 Fax: [27](21)214-280 x226
	Durban	Tel: [27](31)304-4737/8 Fax: [27](31)301-8206
	Johannesburg	Tel: [27](11)331-1681 Telex: 483780-SA Fax: [27](11)331-1681 x105
<b>SPAIN</b>	Madrid	Tel: [34](1)577-4000 Telex: 27763 Fax: [34](1)577-5735
	Barcelona	Tel: [34](3)319-9550 Telex: 52672 Fax: [34](3)319-5621
	Bilboa	Tel: [34](4)475-8500 Telex: 32589 ACBIL E Fax: [34](4)476-1240
<b>SRI LANKA</b>	Colombo	Tel: [94](1)548007 Telex: 21305 AMEMB CE
<b>SUDAN</b>	Khartoum	Tel: 74700, 74611 Telex: 22619 AMEM SD Workweek: Sunday-Thursday
<b>SURINAME</b>	Paramaribo	Tel: [597]72900, 77881, 76459 Telex: 373 AMEMSU SN
<b>SWAZILAND</b>	Mbabane	Tel: [268]46441/5 Telex: 2016 WD Fax: [268]46446
<b>SWEDEN</b>	Stockholm	Tel: [46](8)783-5300 Telex: 12060 AMEMB S Fax: [46](8)661-1964
<b>SWITZERLAND</b>	Bern	Tel: [41](31)437-011 Telex: (845)912603 Fax: [41](31)437-344
	Geneva	Tel: [41](22)799-0211 Telex: 22103 USMIO CH Fax: [41](22)799-0880
	U.S. Trade Representative, Geneva	Tel: [41](22)320-970

**AMERICAN EMBASSIES AND CONSULATES**

	Zurich	Tel: [41](1)552566 Telex: 0045-816830 Fax: [41](1)383-9814
<b>SYRIA</b>	Damascus	Tel: [963](11)333052, 332557, 330416, 332814, 332315, 714108, 337178, 333232, 334352 Telex: 411919 USDAMA SY Fax: [963](11)718-687
<b>TANZANIA</b>	Dar Es Salaam	Tel: [255](51)37501-4 Telex: 41250 USA TZ Fax: [255](51)37408
<b>THAILAND</b>	Bangkok	Tel: [66](2)252-504019 Commercial Office: Tel: [66](2)253-4920/2 Telex: 10966 FCSBKK Fax [66](2)254-2990
	Chiang Mai	Tel: [66](53)252-629/30 Fax: [66](53)252-633
	Songkhla	Tel: [66](2)311-589/90 Fax: [66](74)324-409
	Udorn	Tel: [66](42)244-270/1 Fax: [66](42)244-273
<b>TOGO</b>	Lome	Tel: [228]21-77-17 and 21-29- 91 thru 94 Fax: [228]217952
<b>TRINIDAD AND TOBAGO</b>	Port-of-Spain	Tel: (809)622-6372/6, 6176 Fax: (809)622-9583
<b>TUNISIA</b>	Tunis	Tel: [216](1)782-566 Telex: 13379 AMTUN TN Fax: [216](1)789-719
<b>TURKEY</b>	Ankara	Tel: [90](4)126 54 70 Fax: [90](4)167-0057 FCS Fax: [90](4)167-1366
	Istanbul	Tel: [90](1)151-3602 Telex: 24077 ATOT-TR FCS Fax: [90](1)152-2417
	Izmir	Tel: [90](51)149426, 131369 Fax: [90](51)130493
	Adana	Tel: [90](71)139106, 142145, 143774 Fax: [90](71)176591
<b>UGANDA</b>	Kampala	Tel: [256](41)259792/3/5
<b>UNION OF SOVIET SOCIALIST REPUBLICS</b>	Moscow	Tel: 252-2451 thru 59 Telex: 413160 USGSO SU

AMERICAN EMBASSIES AND CONSULATES

	U.S. Commercial Office, Moscow	Tel: [7](096)255-48-48, 255-46-60 Telex: 413-205 USCO SU
	Leningrad	Tel: [7](812)274-8235 Telex: 64-121527 AMCONSUL SU
UNITED ARAB EMIRATES	Abu Dhabi	Tel: [971](2)336691 Telex: 23513 AMEMBY EM Fax: [971](2)213771 Commercial Section: Tel: [971](2)345545 Telex: 22229 AMEMBY EM Com. Fax: [971](2)331374 Workweek: Saturday-Wednesday
	Dubai	Tel: [971](4)371115 Telex: 46031 BACCUS EM Fax: [971](4)379043 Commercial Section: Tel: [971](4)378584 Fax: [971](4)375121 Workweek: Saturday-Wednesday
UNITED KINGDOM	London, England	Tel: [44](71)499-9000 Telex: 266777 Fax: 409-1637
	Belfast, Northern Ireland	Tel: [44](232)328239 Telex: 747512
	Edinburgh, Scotland	Tel: [44](31)556-8315
URUGUAY	Montevideo	Tel: [598](2)23-60-61, after hours 48-77-77 Fax: [598](2)488611
VENEZUELA	Caracas	Tel: [58](2)285-3111/222 Telex: 25501 AMEMB VE Fax: [58](2)285-0336
	Maracaibo	Tel: [58](61)84-253/4, 52-42-55, 84-054/5 Telex: 62213 USCON VE Fax: [58](61)524255
WESTERN SAMOA	Apai	Tel: (685)21631 Telex: (779)275 AMEMB SX Fax: (685)22030
YEMEN ARAB REPUBLIC	Sanaa	Tel: [967](2)271950 thru 58 Telex: 2697 EMBSAN YE Fax: [967](2)251-563

AMERICAN EMBASSIES AND CONSULATES

<b>YUGOSLAVIA</b>	Belgrade	Tel: [38](11)645-655 Telex: 11529 AMEMBA YU Fax: [38](11)645-221 Workweek: Monday-Friday, 7:30 - 4:15; Consular Section, 7:30 - 3:30
	Zagreb	Tel: [38](41)444-800 Telex: 21180 YU AMCON Fax: [38](41)440-235
<b>ZAIRE</b>	Kinshasa	Tel: [243](12)21532 Telex: 21405 US EMB ZR Fax: [243](12)21232
	Lubumbashi	Tel: [243](011)222324
<b>ZAMBIA</b>	Lusaka	Tel: [2601]228-595/6/8, 228- 601/2/3, 251-419 Telex: AMEMB ZA 41970
<b>ZIMBABWE</b>	Harare	Tel: [263](4)794-521 Commercial Section: Tel: [263](4)728-957 Telex: 24591 USFCS ZW Fax: [263](4)796488

*APPENDIX D: Flowchart*

## Arms Export Control Act

Before a sale

Register with  
the Department  
of State's DTC

Regulated by the  
Secretary of State

Administered thru the  
Office of Defense Trade  
Controls, Bureau of  
Politico-Military Affairs

Oversees the United  
States Munitions List

To determine if an article is on  
the Munitions List, submit:

5 copies of a letter requesting  
a determination,  
any brochure or documentation/  
specification

to:

PM/DTC SA-6 Room 228  
Office of Defense Trade Controls  
Bureau of Politico-Military Affairs  
U.S. Department of State  
Washington, DC 20522-0602

Send:

Form DSP-9  
Fee (\$250) made payable to the  
Department of State  
3 copies of documents demonstrating  
that the intended registrant is  
authorized to do business in the  
United States  
a letter of transmittal, signed by  
a senior officer

to:

Regular Mail:

Office of Defense Trade  
Controls (PM/DTC)  
Room 228, SA-6  
U.S. Department of State  
Washington, DC 20520-0602  
ATTN: Registration

Express Mail:

Office of Defense Trade  
Controls (PM/DTC)  
1701 N. Fort Myer Drive  
Room 228  
Arlington, VA 22209  
ATTN: Registration

**Finding potential clients**

**Direct Sales**

Department of Commerce's  
U.S & Foreign  
Commercial Service

Information on services  
and publications:

District Offices  
(see Appendix)

or write to:

Export Promotion Services  
U.S. & F.C.S.  
U.S. Department of Commerce  
P.O. Box 14702  
Washington, DC 20044

Department of State  
through American  
embassies abroad

"Key Officials in Foreign  
Service Posts -- Guide for  
Business Representatives:

For more information, write  
or call:

Office of Commercial,  
Legislative, and Public  
Affairs  
Bureau of Economic and  
Business Affairs  
Department of State  
Washington, DC 20520-5816  
202/647-1942



**Finding potential clients (cont.)**

Foreign Military Sales (FMS)  
through the U.S. Government

Department of Defense's  
Security Assistance Agency

To get a copy of "Roster of Key  
Security Assistance Personnel  
Worldwide"

call or write:

Defense Security Assistance  
Agency  
The Pentagon, Room 4841  
Washington, DC 20301-2300

Countries with  
Memoranda of  
Understanding

Offices of Defense  
Cooperation

Others

Security Assistance  
Organization (SAO)

# Once the sale is made

## Considerations

### Technology Transfer

Unclassified products and technical data:

Commodity Control List

Department of Commerce  
Bureau of Export Administration

Products and technical data developed or modified primarily for military use:

Munitions List

Department of State  
Office of Defense Trade Policy

For updates, write or call:

Export Assistance  
Division  
Bureau of Export Administration  
Washington, DC 20230  
202/377-4811

PM/DTP Room 7815  
Office of Defense Trade Policy  
Bureau of Politico-Military Affairs  
U.S. Department of State  
Washington, DC 20520-7815  
202/647-4231

Recoupment

DoD Focal Point

or

Army:

U.S. Army Security Affairs Command  
ATTN: AMSAC-RP  
5001 Eisenhower Avenue  
Alexandria, VA 22333-0001

Navy:

Commanding Officer  
Navy International Logistics Control Office  
700 Robbins Avenue (Code 10)  
Philadelphia, PA 19111-5095

Air Force:

Chief, Security Assistance Division  
Deputy Controller Cost and Economics  
Department of the Air Force  
Washington, DC 20330-5018

# License Application

## Export

Commodity Control List  
Department of Commerce

Check with local U.S. & F.C.S.  
office or  
call or write:

Exporter Assistance Division  
Room 1099D  
U.S. Department of Commerce  
Washington, DC 20230  
202/377-4811

Munitions List  
Department of State

Original letter signed  
by a U.S. person who  
is an official empowered  
by the applicant  
7 copies of technical data  
or product descriptive  
literature  
Appropriate license  
application as required  
in the ITAR

Submit package to:

PM/DTC SA-6 Room 228  
Office of Defense Trade  
Controls  
Bureau of Politico-  
Military Affairs  
U.S. Department of State  
Washington, DC 20522-0602

Phone or license status inquiry:

703/875-6652

License lodged  
with U.S. Customs  
Service at port  
of exit designated  
on license

or

License filed  
with postmaster  
at post office  
where equipment  
will be mailed

***APPENDIX E: Other Publications***

<i><b>TITLE</b></i>	<i><b>COST</b></i>	<i><b>SOURCE</b></i>
A Basic Guide to Exporting (U.S. Department of Commerce, International Trade Administration, U.S. and Foreign Commercial Service)	\$8.50	U.S. Government Printing Office Washington, DC 20402 202/783-3238
A Comparison of Direct Commercial Sales & Foreign Military Sales for the Acquisition of U.S. Defense Articles and Services	\$5.00	DISAM, ATTN: DISAM/DIRP Building 125, Area B Wright-Patterson AFB, OH 45433-5000 (513)255-2994/3669
Defense Trade News (ISSN 1051-2845) [automatically sent to firms registered with the Office of Defense Trade Controls)	Free	Editor Defense Trade News PM/DTC SA-6 Room 228 U.S. Department of State Washington, DC 20522-0602
Department of Defense Directive 2140.2 (NTIS code PB90 144858)	\$7.50	National Technical Information Service (NTIS) 703/487-4650
Key Officers of Foreign Service Post -- Guide for Business Representatives (United States Department of State)	\$1.75	U.S. Government Printing Office Washington, DC 20402 202/783-3238
Selling to the Military (Stock No. 008-000-00392-1)	\$6.00	U.S. Government Printing Office Washington, DC 20402 202/783-3238
Selling to the Allies: A Guide for US Firms	\$7.50	U.S. Government Printing Office Washington, DC 20402 202/783-3238
The Management of Security Assistance	\$20.00	DISAM, ATTN: DISAM/DIRP Building 125, Area B Wright-Patterson AFB, OH 45433-5000 (513)255-2994/3669
United States Security Assistance		DSAA/OPS-E Room 4B740, The Pentagon Washington, DC 20301-2800 <u>or</u> DISAM Wright-Patterson AFB, OH 45433-5000 (513)255-2994 AUTOVON: 785-2994

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"A Basic Guide to Exporting." U.S. Department of Commerce, International Trade Administration, U.S. and Foreign Commercial Service, Washington, DC. September 1986

"A Comparison of Direct Commercial Sales & Foreign Military Sales for the Acquisition of U.S. Defense Articles and Services." Defense Security Agency, Washington, DC 20301-2800. August 1989

"Defense Trade News: The Bulletin of the Center for Defense Trade." United States Department of State, Bureau of Politico-Military Affairs, Washington, D.C. Vol. 2, No. 2, June 1990

"Defense Trade News: The Bulletin of the Center for Defense Trade." United States Department of State, Bureau of Politico-Military Affairs, Washington, D.C. Vol. 1, No. 3, September 1990

Defense Acquisition Circular Number 88-5. Department of Defense. Pgs. 5, 234.0-1, 235.0-1, 271.0-1 - 271.0-5, 252.271-1 - 252.271-4. 1 March 1989

Department of Defense Directive Number 2140.2. August 5, 1985

Department of Justice FCPS Review Procedure from BUSINESS LAWS, INC. Pg. 700.01. January 1990

"International Traffic in Arms Regulations (ITAR) (22 CFR 120-130)." Department of State Publication 9793. United States Department of State, Bureau of Politico-Military Affairs. November 1989

Justice Department Rule Establishing Foreign Corrupt Practices Act Review Procedure (dated March 20, 1980) from BUSINESS LAWS, INC. Pgs. 701-704. January 1988 and July 29, 1983

"Key Officers of Foreign Service Posts: Guide for Business Representatives." United States Department of State, Washington, DC 20520-1853. September 1990

Robinson, William B. Letter and Additional Information on Registration. United States Department of State, Washington, DC 20520.

"Roster, Key Security Assistance Personnel World-wide." RCS DD-ISA (P) 1226, Defense Security Agency, Washington, DC 20301-2800, 1 October 1990

"Selling to the Allies: A Guide for US Firms." Published by Procurement Associates, Inc., Covina, CA 91724

"Selling to the Military." Department of Defense, Washington, DC 20301

"The Management of Security Assistance." Tenth Anniversary Edition. Defense Institute of Security Assistance Management, Wright-Patterson AFB, OH 45433-5000. April 1990

"United States Security Assistance." Defense Security Assistance Agency. May 1990